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THE TABLET.

No. XCI.

(Continued from the laſt number.)

"We are apt to form general concluſions from too ſmall a number of particular caſes."

AS ſome ſtriking inſtances can be produced of the hardſhips ſuſtained by original claimants, it leads us to imagine that original creditors, who have alienated their certificates, are a claſs of people, entitled to general relief. But thoſe who are intimately acquainted with the hiſtory of public ſecurities muſt have formed a very different opinion. The heavieſt loſſes that have accrued by the fall of ſtocks, have happened to intermediate holders. I know a perſon who purchaſed thirty thouſand dollars in final ſettlements, at the army, for ten ſhillings on the pound: He ſold them, two years afterwards, for one fourth part of the ſum he paid for them. This diſtinguiſhed ſufferer makes little complaint and excites no pity. The ſoldiers who ſold their claims on unfavorable terms, excited attention becauſe they complained loudly. Many of the certificates, it ſhould be remembered, were originally iſſued in ſmall ſums; and an hundred thouſand dollars ſold at a diſadvantage brings forward numerous individuals to complain; and yet the aggregate loſſes of ſuch complainants bear no proportion to the aggregate amount of certificates, ſold on beneficial terms by original creditors. Thoſe who negociated their paper early got a good price. They are contented and nothing is ſaid about them.

The moſt conſiderable branch of the domeſtic debt conſiſts of loan certificates. Theſe muſt have ſold without any diſcount, during the whole period that the loans were opened. It is evident that while the United States were daily making new loans, certificates muſt have been negotiated at par; for if a perſon could purchaſe at market, at any given diſcount, why ſhould he lodge his money at an office and take out ſecurities at par. The fact proves itſelf, that while the public could ſell certificates at par, no perſon was compelled to ſell at much diſcount. The principal transfers that original holders of ſuch certificates have made, muſt have been while they commanded a good price.

The army debt is that, in which, the principal injury is ſuppoſed to have happened to the original claimants. There are perhaps more hard caſes among the ſoldiers than among any other portion of the creditors; but ſtill the aggregate amount of their loſs is not ſo conſiderable as has been imagined. The ſoldiers of the main army have not generally any reaſon to complain. They anticipated their pay long before it was received, and obtained from eight to ten ſhillings on the pound. There were many traders and ſpeculators about the main army, who raiſed a competition in the purchaſes, that operated in favor of the ſoldier. Thoſe troops that were detached from the main army, had not the benefit of ſelling to ſpeculators, in ſuch ſeaſon, as to obtain the beſt price. It happened unfortunate for the ſouthern army under the command of General Greene, that they were not in a country, where adventurous monied men ſpeculated in public paper. By this means, that part of the army made great ſacrifices, in the diſpoſal of their ſecurities. This was unavoidable; but it does not authorize a concluſion that other creditors who were not ſo ſituated, ſuffered ſimilar inconveniencies. As theſe facts are generally known to men of obſervation, I have no occaſion to enlarge.

In my next number, I will examine the queſtion, whether original creditors have generally been compelled by neceſſity to ſell their certificates.

FOR THE GAZETTE OF THE UNITED STATES.

MR. FENNO,

THIS is an awful criſis. The deciſion of Congreſs on the public debt renders it eminently ſo. To retain the confidence of the *wiſe*, the *well-informed* and the *honeſt* of the whole world, Americans and Foreigners, is the taſk aſſigned them. To their native ſtock of wiſdom and virtue let them carefully, aſſiduouſly and anxiouſly ſtrive to add all the information they can obtain. A well-informed conſcience is the beſt human guide. The Legiſlator who errs, with that conductor, is lightly cenſured by his conſtituents, and will be forgiven by Heaven.

However ſolicitous Congreſs may be for public credit as the indiſpenſable means of maintaining the future proſperity of the nation, they muſt not lay themſelves open to opinions that they have done more than the preſervation of public credit requires. An enquiry ſhould be inſtituted to determine *the ſubſtantial juſtice* of the original contract, for public credit requires no more to be rendered to any man, whether a purchaſer, a lender, or a renderer of ſervices. Gratitude may ſuggeſt more, but public credit will be completely maintained by the performance of ſubſtantial juſtice fairly and accurately aſcertained. Far be it from rulers of a generous people to ſtill the hallowed voice of gratitude; but let us ſuſpend our obedience to its dictates till the more ſacred requiſitions of juſtice be fulfilled. It may be neceſſary to exemplify the idea here contemplated. Many contracts were formed in Auguſt 1777, for example, between the United States and individuals, which, by the preſent regulations, are conſidered as ſpecie, tho it is a fact eaſily to be aſcertained, that the money by which the obligation was created in ſome inſtances, and in which it could have been juſtly diſcharged in all the reſt, was really and truly worth but 35 to 40 pr. cent. Does then ſubſtantial juſtice require more to be paid? Does public credit require more to be funded? Will a well-informed conſcience permit the holder of the certificate to aſk more? Will a wiſe legiſlator, with a *perfect idea* of public faith, if at the ſame time he has a due regard for the eaſe and property of the people, conſent to give more. If Congreſs ſhould finally allow one hundred dollars in ſpecie for that which in no way whatever would have brought, on the day of the contract, more than thirty five or forty dollars, will they manifeſt to their conſtituents and to foreign nations, the neceſſary ability to eſtimate the true value of their obligations, and a ſufficiency of that prudent regard to economy, which, while it is perfectly reconcilable with ſtrict and ſubſtantial juſtice, is indiſpenſably neceſſary to preſerve the public confidence? Will they not appear willingly to ſacrifice their conſtituents to a ſwoln demand of miſtaken or miſtated Juſtice? Let us conſider what will be the conſequence of ſuch opinions ariſing among foreigners. It is to be feared that they will think us an inconſiderate or neceſſitous nation, with whom any terms may be made for ready money; or that our councils are corrupted, and that from venal cauſes hath proceeded a law, which, while it grants them unneceſſarily 60 or 65 pr. cent. provides the ſame for ſecret owners of certificates among the members of our government. Let us alſo well conſider what would be the conſequence of ſuch opinions ſhould they ariſe among the people of America.

If an examination were carefully made into the operation of this unexceptionable touch ſtone of ſubſtantial juſtice, upon the various debts of the union and of the States, a great and rightful reduction of their immenſe amount will be the conſequence. Let it not be ſaid that it will produce too much delay, for juſtice is the object. Let not an ill judged economy of time occaſion a profuſion of public money. Let not the huſbandman be twice condemned to pay, by the ſweat of his brow, the debts occaſioned by the late diſtreſsful war. NECKER.

CONGRESS.

HOUSE OF REPRESENTATIVES.

TUESDAY, FEB. 16, 1790.

IN committee of the whole, on the Report of the Secretary of the Treaſury.—Mr. Madiſon's motion for a diſcrimination under conſideration.

Mr. JACKSON, obſerved that——although as young a politician as any on the floor, and that he was convinced the weight of experience was againſt him—on ſo important a national ſubject he could not be ſilent; particularly as he had the honor of ſeconding the gentleman's motion (Mr. Madiſon) now before the houſe; that it would be therefore expected he ſhould bring forward his reaſons, and the principles which actuated him to it. He confeſſed that had he not before leaned to the ſide of a diſcrimination, the arguments of that able gentleman would have induced him to ſupport the plan he had brought forward. He was induced on another motive to riſe, to ſhow that the numerous arguments of the gentlemen in oppoſition yeſterday, had not convinced him of the impracticability or injuſtice of the compoſition.

The houſe ſaid he, were told much yeſterday of the moral obligation we are under of paying our debts, and the impolicy and injuſtice of interfering with private contracts. The obligation, I believe is no where denied; the debt is of the higheſt nature; it is the price of our independence; the only difficulty is, how that debt ſhall be diſcharged. I would here obſerve, that the juſtice of the plan before the houſe has not been ſo fully objected to as the impracticability, although it has been aſſerted unjuſt by ſome of the gentlemen who have ſpoken.

I will conſider the juſtice of the propoſition. The houſe has been told the nature of thoſe contracts, and the valuable conſiderations of them. The contract, falls under the legal terms of *do, ut des*; I give that thou mayeſt give—or, I give that I may receive. In all contracts there are three requiſites: 1ſt. The agreement; 2d. The conſideration; 3d. The thing to be done or omitted. The conſideration is, to be an equivalent or full recompence for the thing to be performed Let us examine what this thing to be done is, and what theſe conſiderations are. The creditor, who has to perform the third article of the contract, held 20s. which was to be given for a valuable conſideration; what was this conſideration? 2s. 6d. I argue, that if this 20s. was worth no more than 2s. 6d. the contract was fair and ſubſtantial; but if gentlemen carry the idea farther, and declare this 20s. was money of equal value with the 2s. 6d. given, I contend that the contract was deſtroyed: equity would believe, would declare it an unrighteous bargain, that there was not an adequate compenſation, and would ſet aſide the contract.

But a gentleman (Mr. Lawrance) has told us that equity has fixed rules, and that none of thoſe rules would apply. I agree with him, that it is as neceſſary for a court of equity to be confined by rules as a court of law; but excluſive of the former caſe I have mentioned, there are two others under which the preſent caſe comes—misfortune and overſight. I would quote, Blackſtone, did I not expect, as in former inſtances, to be complained of by that gentleman for it. Here, has been one of the greateſt of misfortunes; a calamity attending a whole community, a government unable to pay its debts. Here is likewiſe an overſight equal to it. Is it poſſible for the poor ſoldier, uninformed, to foreſee, when he ſold his certificates, that they would riſe to the preſent value? or that he could anticipate the preſent day, and a ſecond revolution? Equity, then, requires ſome mode of juſtice, and the tribunal exiſts ſomewhere. I believe with my friend from Pennſylvania (Mr. Scott) that we are the tribunal; for equity muſt exiſt ſomewhere, or the government is at an end. The courts of law, and common courts of equity, have no power to interfere; they cannot compel us to their mode of funding our debts. The injury cries aloud for redreſs; iniquity is in the land, and we are bound by every principle of juſtice, to ſtep forward, and do what juſtice we can.

But perfect juſtice cannot be done, ſay gentlemen, and therefore we ſhould not attempt the buſineſs at all. The conſequences of this doctrine are fatal—they tend to a deprivation of all courts of juſtice—for there is no inſtance which can be adduced, where what is termed perfect juſtice is reconciled to the opinions of all, and where ſome objection cannot be raiſed.

But there is no government on earth, ſay gentlemen, which ever interfered with aſſignable contracts. This doctrine has been both countenanced and denied by gentlemen in the oppoſition. In their relation of the South Sea ſcheme, one gentleman told us that it did not apply, becauſe the government was not concerned, and that it was in conſequence of their agents villainous practices only; another acknowledged the government was concerned, and bid us take warning from it. I contend that the caſe is in point; but if there is any difference, it is in its exceeding the bounds of the preſent. The government of England were acceſſary—the parliament of England received 7,000,000l. for the privilege of permitting the company to take in the public debts—and allowed them to fund many millions on a footing not ſubject to their private debts; yet after all this countenance, the omnipotence of parliament aſſumed the ſupreme powers of equity—compelled compenſations, diſcharged debtors, and puniſhed thoſe who had done no more than comply with the letter of the law.

This doctrine was not then novel: in 1712 parliament interfered between the Royal African Company, and its creditors—not when the company was in a ſtate of bankruptcy, but for years before. The different nations of the world, beſides, notwithſtanding what gentlemen have advanced with reſpect to the conſtitution, and the impairing contracts—and the ſtates here, have followed it, have paſſed ſtatutes of limitation to actions, although it was not implied in contracts. The houſe has a right likewiſe to guard againſt frauds.

Public juſtice, he obſerved, has not been done; the ſoldiers, the original creditors, have not been paid; they have received but 2s. 6d. and there was 20s. due them. Many of thoſe creditors, and the war-worn ſoldier, are pining in retirement, in the moſt cruel ſituations, and condemning the injuſtice of that country which, in conſequence of their exertions, are legiſlating here this day.

If then public juſtice (which he contended the plan promoted) ſhould be done, public credit would follow—for juſtice is reaſon, and credit is a natural conſequence of reaſon; if the intereſt, as gentleman have told the houſe, is paid in paper or not, I do not conceive that the plan would in the leaſt affect it. It has not injured Britain in the example before the houſe.

Public faith, the houſe is informed, makes no diſtinction; the public faith, is pledged to the ſoldiery and citizens, who furniſhed ſupplies. It never has been fulfilled, 2s. 6d. was not the 20s. they were entitled to. This principle was even ſettled at home by that very Congreſs, ſome gentleman pay ſo much honor to. The ſoldiers were paid with depreciated money during the war; that Congreſs reliquidated their accounts.

A gentleman (Mr. Smith) has obſerved, that this plan places thoſe who have alienated in a better ſituation than the preſent original holder, by adding the 10s. to what he formerly received. I contend that the preſent original creditor would not be injured, nor would they grumble at ſeeing

juſtice done their more diſtreſſed brethern; thoſe who ſold, did it in moſt inſtances from neceſſity, thoſe who hold at preſent are the more wealthy.

The ſame gentleman has obſerved, that had the market price riſen to 20s. that this plan could not have been adopted. I allow the difficulty which would ariſe, but contend that in that caſe the public faith would not have been diſcharged; but the caſe is the reverſe, the houſe knows the the market price, and has it within their compaſs to do juſtice. But, ſays the gentleman, the ſoldier might have kept it to the preſent moment, and then it would have been worth the 20s. Unfortunate, fooliſh ſoldier, indeed! Why didſt thou not ſteel thy feelings againſt the wife of thy boſom, and behold thy beloved children without a murmur or an exertion, ſtraying on a dunghill? then thou migheſt have kept thy nominal 20s. until it became a real one. But is this the language of mercy, or of juſtice? what will a man not give in exchange for his life? and, if he has feelings, for that of his wife and children?

But public opinion is vague, ſay gentlemen; and the houſe has been cautioned againſt pamphlets and newſpapers, as if the plan had been compoſed from thence. The abilities of the honorable gentleman will give a ſerious refutation to this charge. For my part, I have the candor to aſſure the gentleman that I have taken hints, and that I always will take hints, whilſt in public life, from any valuable information given in either: like the berry on the brier, if I could pluck it with ſafety, I would; and, if a valuable hint is encircled with a torrent of abuſe, I would accept the hint whilſt I would deſpiſe the remainder.

Sir, ſaid he, public opinion divided us from Britain; public opinion induced us to oppoſe her arms; public opinion induced us to change the former for the preſent conſtitution; public opinion brought us here to legiſlate; and public opinion can replace us in our former ſituations; and however public opinion may be cenſured by ſome gentlemen, I truſt ſhe never will need an advocate on this floor.

This public opinion is in favor of the original creditor; it is impoſſible to be otherwiſe. The people of America are a grateful people, and they cannot, with indifference, view the earnings of thoſe who eſtabliſhed their independence converted to the coffers of the wealthy and ambitious. The ſpeculator is already more than ſatisfied, if it is only on the principle of intereſt which has accrued for 6, 7 and 8 years paſt, and which they have ſpeculated on ſince.

Conceiving the objections raiſed by the oppoſition refuted, the next conſideration is the impracticability.

The gentleman that brought the plan forward, is more capable of anſwering the numerous obſticles thrown in by the phalnax of orators yeſterday; but I ſhall undertake to anſwer a few of them.

A gentleman (Mr. Boudinot) has declared it impracticable, becauſe the quarter maſters of the late army, and the clerks of office, received the certificates in their own names; and, as an inſtance, quotes himſelf as having received large ſums in that manner. But, are not the books, the documents remaining? Is there not evidence ſtill exiſting of the original creditor? That gentleman's own objection proves it. We will call him as an evidence; and there is no doubt but mankind are not ſo debaſed, but that many other ſimilar confeſſions will come forward. Beſides, there can be a touchſtone applied equal to what the higheſt court of equity uſed, and there is little fear but the truth would be found out, and a detection of the fraudulent claim. The impracticability, is out of the queſtion, with reſpect to the ſpeculator, who would receive the higheſt market price.

But the public accounts are many of them loſt. Make it worth the time of the original creditor, and this would be in a great meaſure obviated.

Again, ſays a gentleman (Mr. Sedgwick) the certificates are in fictitious names, and he knows an inſtance in Boſton: then that gentleman is likewiſe good evidence; and the claim, from his eſtimony, would be invalidated; but if not, the ſame equitable proof would be required.

Mr. Jackſon obſerved, that here, Proteus like, the gentlemen changed their reaſoning, and declared the public would be gainers by the mode. He, however, aſſerted that it would not be the caſe by their account. If the claimant did not come forward, he could not contend that the public, not the ſpeculator, ought to be the gainer; that the public here, would poſſeſs the ſame right as to an eſtate left without an heir.

But it has been advanced, that the money would be again generally diſtributed among the poorer claſs of people, and that ſpeculators would be flying to every part of the union to reap ſecond crops. Such a diſtribution would be a public bleſſing, and by the meaſure, the tears of the afflicted would be dried up, and the widowed heart be made to ſing for joy. The leſſon I believe has been now taught, and will prevent the extremes of ſpeculation in future. The ſecond crop can not be ſo injurious to the community, or prove ſo plentiful an harveſt to the ſpeculator, as the firſt.

It is neceſſary, it is ſaid, and we ſhall conſequently have an hoſt of officers. Mr. Jackſon denied that neceſſity: and there are numbers of officers in the treaſury department who might attend to the buſineſs; and *a ſmall fee, which would be cheerfully paid, would find officers, if neceſſary, of reſponſibility and character in the different ſtates*

But it is an *ex poſt facto* law. This I deny to be the caſe: no law has yet paſſed for funding the debt; we have a right to fund the debt as we pleaſe. Some gentlemen, oppoſed to the preſent principle, join the Secretary in opinion for lowering the intereſt; we have ſeen threats, under that idea, not to fund at all; and we cannot compel ſubſcriptions without the holders conſent.

It is again ſaid, that if government do this now, they may take the ſame ſtep hereafter: this, is reaſoning on ſurmiſe. It is not probable, if witnin the ſphere of poſſibility, that America will ever have a debt in the ſame ſituation. Loans, if exigencies ſhould ariſe, will be procured on adequate proviſions; and *foreigners*, from viewing our juſtice and the *unanimous reſolve* reſpecting *them*, will place a value and dependence on us. If America is wiſe, ſaid he, few wars will ariſe; ſituated as we are, in a remote country from the warlike nations of Europe, the wars we may expect will be with a few tribes of Indians; great loans will therefore not be required. But, ſuppoſing all theſe poſſible exigencies, *the ſoldier* is as neceſſary a requiſite as the *ſupply*: will he truſt again your broken faith?

The gentleman from Maſſachuſetts [Mr. Ames] has charged the favourers of the motion with church-yard terrors; with what propriety I can not judge, unleſs that gentleman, like a man paſſing through a church yard ſaw an apparition, and had the impreſſion ſo ſtrongly on his mind that he inſiſted on it that all his neighbours ſaw it alſo.

The dangers that have been magnified are on the other ſide. We have been told of the 15s. in the pound, paid by foreigners in Holland; and one gentleman (Mr. Gerry) has denounced againſt us the terrors of the *ultima lex regnum*. Are we, ſaid he, independent or not? If we are, we have a right to modify our own debt. What would Britain or Holland ſay, ſhould we interfere with their funds? Would they not ſuppoſe us deprived of reaſon, or laugh at our imbecility in attempting it? Thoſe who have purchaſed in our domeſtic funds are on the ſame footing with our own citizens. If we are not independent it is high time to make ourſelves ſo, whatever power might oppoſe us. The gentleman who brought forward the motion, has been charged with addreſſing the paſſions: this might be retaliated; for declamation has been uſed for argument on the other ſide.

Equity, ſaid he, if the cauſe be equal, will ſuffer, in many inſtances, the heart to decide. The gentleman from S. C. (Mr. Smith) has declared, that what he has ſeen written on the ſubject had been as much on the one ſide as on the other; if ſo, the heart, in this inſtance, ought to govern; and gratitude and humanity, its nobleſt principles, are in favor of the original creditor. I have been, ſaid he, againſt the funding principle at this preſent moment; but as the houſe has determined on it, it becomes my duty to acquieſce, but on principles of honor and juſtice. And it is to be remembered, that the landholder of America is the perſon ultimately to pay this debt, and his property will be mortgaged for it; for although commerce may immediately ſupply the revenue, the landholder is the conſumer: I therefore hope the debt will be funded on principles congenial with their wiſhes. That claſs of people, when they contemplate their independent ſituation and their domeſtic happineſs, although they would revolt at the idea of filling the pockets of the ſpeculator, will cheerfully advance their proportion for the payment of the ſoldier and the citizen, whoſe exertions have procured them the bleſſings they enjoy.

Mr. White ſaid he agreed with the gentleman from Maſſachuſetts (Mr. Sedgwick) in the principle, that if a contract is made for a valuable conſideration, and with the underſtanding of both parties, the legiſlature ought not to interfere in it; and ſhould it appear that the tranſaction, between the original holders of certificates and the purchaſers, was a fair one, the diſpute in his mind was at an end; but no gentleman had attempted to ſhew that this was the caſe, though all the arguments againſt a diſcrimination were founded on that ſuppoſition. Perhaps it might be ſaid, that every argument ought to be conſidered as fair, unleſs the contrary be proved; but where one man has obtained the property of another, to the amount of 100l. for 10l. or 12l. 10. the tranſaction, he ſaid, muſt be explained to him, before he would believe it to be honeſt. What was the preſent caſe? The original holders, who have parted with the evidences of their debts, were principally common ſoldiers, militia-men and farmers, in indigent circumſtances. Who were the purchaſers? The Secretary of the Treaſury tells us, that the moſt enlightened among our citizens are the creditors of the United States; common ſoldiers cannot be comprehended in this deſcription. What muſt have paſſed, he aſked, between the ſoldier, the militia-man or farmer, and the purchaſer? What reaſon could the purchaſer aſſign for offering 10l. for a paper which ſpecified an obligation to pay 100l.? It muſt be ſomething like this: The ſtates will never pay you; if they do, it will be at a very remote period, ſo long as to be uſeleſs to you; but to relieve your preſent neceſſities, I will take the riſk on myſelf and give you 10l. Now, could any enlightened man, he aſked, in 1783, or at any ſubſequent period, in which time the transfers took place, believe that the independence of America was in danger? or that the debts would not be provided for?

He ſaid he knew ſo many inſtances of tranſactions like that which he had ſtated, that he doubted not the greater part of certificatss had been obtained by ſimilar means. Indeed he could not conceive any other by which they could be obtained.

He ſaid we were perhaps without a precedent in any other nation that would be applicable; but he deſired gentlemen to determine for themſelves, whether, under ſuch circumſtances, the man who had rendered ſervices to his country ſhould be deprived of his reward, or whether the purchaſer ought to receive it. He ſaid it was very different in the common tranſactions of life. If a man purchaſed a tract of land for 1000l. paid the money, and took a bond for the conveyance, a third perſon, by informing the purchaſer that the ſeller could not make a title, or by other falſe ſuggeſtions, ſhould obtain a tranſfer of the bond in conſideration of 100l. and get a conveyance and poſſeſſion of the land; yet, on repaying the 100l. the conveyance would be ſet aſide, and he would be reſtored to his land.

Mr. White gave ſome other inſtances of a ſimilar nature, and ſaid he believed, if a bond, whether due, or to become due, was aſſigned under ſuch circumſtances, that the obligee would be juſtifiable in conteſting it in a court of law, and that the injured perſon would, on application, obtain redreſs. He ſaid, that in caſes of extreme hardſhip, courts of equity would give relief without expreſs proof of fraud. That this was the law of the kingdom of Great Britain, and was agreeable to the principles of the civil law. That the Roman juriſts, he believed, had fixed the point of extreme hardſhip to one half of the value of the property transferred; in England the court was to judge.

He ſaid he did not think the preſent holders were ſtrictly entitled to any thing more than the original purchaſers: That here the maxim quoted on the other ſide of the queſtion, that the aſſignee ſtands in the ſhoes of the aſſigner, properly applied: You cannot place another on more advantageous ground than that on which you ſtand yourſelf: That the plea of an innocent purchaſer could not take place; the nature of the tranſaction muſt appear evident to every man concerned in a tranſfer.

He ſaid the reverſe of this did not hold: That an aſſignee was not always in as advantageous a ſituation as the aſſigner: and inſtanced the caſe of his teſtator's bond at an under value; and who, he ſaid, could not retain in his hands the amount of the ſum ſpecified in the bond, which the creditor might have recovered, but only the ſum which he actually paid for the bond.

Mr. White ſaid, that though in his opinion the preſent holders of certificates were ſtrictly entitled to no more than what had been paid to the original holders, yet—as an inveſtigation of that circumſtance would be involved in inextricable difficulties, and ſince we were (as had been very properly obſerved and well expreſſed by a gentleman from S. C. Mr. Burke) ſettling the buſineſs of a family—he was willing to acquieſce in the motion of his colleague. He ſaid that arbitrators often gave the injured party leſs than his due, for peace ſake; and he was willing to act on the ſame principle. He doubted not but courts of juſtice would give relief in particular caſes; but, in a matter of that magnitude, he thought the interference of the legiſlature very proper. The S. Sea buſineſs he thought, in that reſpect, a good precedent. Two gentlemen had mentioned the buſineſs: he would not ſay they had miſtated the tranſaction, but he thought their accounts imperfect. They ſaid they had the documents under their hands; he wiſhed they had been read; he had them not, but would ſtate from memory what he thought applicable to the caſe in queſtion. The directors of the S. S. Company, by various arts, induce the people to give as high as 1000l. for 100l. ſtock; in many inſtances the money was paid, in others it was contracted to be paid. A gentleman has ſaid, that Parliament interfered not to violate, but to perfect the contract: But what did parliament do? They confiſcated the eſtates of the directors, and applied the amount to the relief of thoſe who had actually paid their money, and ſuſpended ſuits againſt thoſe who had not paid; and authoriſed the debtors to diſcharge their debts by the payment of 10 per cent. or the real value of the ſtock ſubſcribed for. But if he was wrong in ſuppoſing the preſent holders ought to ſtand in the place of the firſt purchaſers, they could be conſidered only as having purchaſed in market, a paper of indefinite value: if then they get the higheſt market price, they are not injured.

(To be continued.)

MONDAY, FEBRUARY 22.

Mr. Schureman preſented a petition of James M'Comb, relative to certain inventions, which was read.

The amendments of the Senate to the bill for enumerating the inhabitants of the United States, were read.

The enumeration is to commence on the firſt of Auguſt next, and to be compleated within nine months. Returns to be made on or before the firſt of September, 1791. The ſecond ſchedule was ſtruck out by the Senate; theſe amendments were agreed to, excepting thoſe which reduced the compenſations

The order of the day being called for, the Houſe went into a committee of the whole on the report of the Secretary of the Treaſury.

The queſtion being put upon Mr. Madiſon's amendment to the ſecond reſolution, brought in by Mr. Fitzſimons, it was negatived by a large majority.

The queſtion on the ſecond reſolution was then put; ſeveral amendments were propoſed, which were negatived, and the reſolution carried in the affirmative without amendment, viz.

"Reſolved, That permanent funds ought to be appropriated for the payment of the intereſt on, and the gradual diſcharge of the domeſtic debt of the United States."

The third reſolution was then read, viz.

"Reſolved, That the arrears of intereſt, including indents iſſued in payment thereof, ought to be provided for on the ſame terms with the principal of the ſaid debt."

Mr. Lee propoſed an amendment, "that appropriations of the lands in the Weſtern Teritory be aſſigned for the purpoſe of diſcharging the intereſt due on the debt of the United States."

This amendment was not ſeconded.

Mr. Gerry ſaid, that it appeared to him that the indents, in the ſeveral State Treaſuries, and which thro negligence have not been paid into the Public Treaſury agreeable to the requiſitions of the late Congreſs, ought not to be included in the proviſion. He moved an amendment to the reſolution to that purport: This occaſioned conſiderable debate; but the motion was finally negatived.

The queſtion on the third reſolution was then put, and carried without amendment by a large majority.

The fourth reſolution was then read, viz.

"Reſolved, That the debts of the reſpective States ought, with the conſent of the creditors, to be aſſumed and provided for by the United States."

It was then moved that the committee riſe, &c. which motion was adopted.

A meſſage from the Senate, informing the Houſe that they recede from their amendments to the enumeration bill, which had been diſagreed to by the Houſe. Alſo, that the Senate have accepted of the ceſſion of territory made by the State of North-Carolina; in which acceptance they requeſt the concurrence of the Houſe.

The memorial of the commiſſioners for ſettling accounts between the United States and the individual States reſpecting the ſalaries of the Clerks in their office, was read the ſecond time, and referred to a committee of three, viz. Mr. Gerry, Mr. Trumbull, and Mr. Goodhue.

The Houſe then adjourned.

TUESDAY, FEB. 23.

A report from the Secretary of the Treaſury on the petition of Francis Bailey was read—this report ſtates that the invention of the petitioner in typographical printing may in their application, render the pernicious practice of counterfeiting much more diſficult than it has heretofore been—that the requeſt of the petitioner, to be employed in uſing his invention in the public ſervice, muſt be left to the diſcretion of the Legiſlature—laid on the table.

In committee of the whole Houſe on the report of the Secretary of the Treaſury.

Mr. Benſon in the Chair.

The reſolution for the aſſumption of the State debts under conſideration.

The affirmative of this reſolution was ſupported by Meſſrs Lawranſe, Ames, Sherman, Clymer, Burke, Goodhue, Smith, (S. C.) Fitzſimons and Gerry.

And oppoſed by Meſſrs Livermore and Stone.

The diſcuſſion was continued till 2 o'clock, when on motion of Mr. Lawrance the committee roſe—ſo that no deciſion was had on the reſolution.

Mr. Fitzſimons of the Committee appointed for the purpoſe, brought in a bill providing for the regulation of the Poſt-Office, which was read the firſt time.

In committee of the whole on the bill to eſtabliſh a uniform rule of naturalization. The committee made ſome progreſs in the diſcuſſion of this bill: but roſe without completing it, and the Houſe adjourned.

EUROPE.

MANIFESTO of the PATRIOTS in AUSTRIAN FLANDERS.

The People of Brabant, through the organ of the Eccleſiaſtical State and of the third order of the three chief Cities, in conjunction with many Members of the Nobleſſe,

To all thoſe who ſhall ſee or hear read theſe preſents, HEALTH.

FINDING ourſelves under the hard neceſſity of declaring the Emperor Joſeph II. Duke of Lorrain, Brabant, and Lemberg, to have forfeited his right of ſovereignty and dominion over the ſaid countries, it is our indiſpenſable duty to exhort and recommend to all in general, and to every one in particular, to concur in the common ſafety of their country; in conſequence we expreſsly warn and forbid every one to take part with thoſe who belong to the government of the ſaid late Duke, or with the late Duke himſelf under pain of being puniſhed as an enemy to his country.

We in like manner forbid the diſturbing of the public repoſe and tranquillity under whatſoever pretex, on pain of being proſecuted and puniſhed as enemies of the nation.

We exhort all and every citizen able to bear arms in defence of the liberty of the nation to ſend their names to Chiefs eſtabliſhed and known, that inſtructions may be given them, and they may repair to the place aſſigned them, and ſubmit themſelves to the orders to be given them.

On the other hand we forbid all crouds and mobs tending to pillage; declaring morever, that all convicted of pillaging, or attempting to pillage any houſe or ſhop, even belonging to an enemy of the country, ſhall be puniſhed the ſame as an enemy to the country.

We declare that all who ſhall be convicted of laying any plot, or holding diſcourſe tending to favour the deſpotick plans of the ſaid late Duke, ſhall be puniſhed rigorouſly as diſturbers of the public tranquillity, and as enemies to the country.

We command and order the preſent Manifeſto to be printed, publiſhed, and fixed up, in the Province of Brabant and its dependencies, to the end it may be known, and that no one may pretend ignorance of it. We give it in charge to all thoſe whom it may concern to obſerve, and cauſe to be obſerved, the contents of theſe preſents, for the good and ſafety of the country require it.

And as the great ſeal of the ſtate is ſeized by force by the ſaid *former* Duke of Brabant, and as we have authorized, by our manifeſto of this day, our Agent Plenipotentiary to make uſe of the ſeal of his arms in lieu of the ſeal of the States, until it be in our power, we have furniſhed the ſaid ſeal.

Done at Hoogſtraten in Brabant, Oct. 24, 1789.

(Signed) H. C. N. VAN DER NOOT.

PARIS.

On the 1ſt of September a letter was read in the National Aſſembly of France from the officers of the regiment of Touraine, of which the Viſcount de Mirabeau is Colonel, ſtating, that an old ſoldier of 95 years old, was preſented to the King laſt year at Paris, and had a penſion of 300 livres granted him, deſires to reſign that penſion to his country. So ſublime an example was inſtantly followed by all the officers, and, amongſt others, by M. de Montalembert, who had his for the loſs of an eye in a naval engagement laſt war in America. The Aſſemply, as might be amagined; would not accept of the old warrior's renunciation, but ordered the fact to be tranſcribed on their regiſters.

Nov. 24. The harbour of Cherbourgh is now ſo far compleated as to be able to contain 103 ſail of line of battle ſhips, and to ſcreen them from the ſevereſt gales. There are 200 veſſels conſtantly employed ſinking ſtones and rubbiſh to ſtrengthen the foundation.

The American trade grows better in every ſenſe; the orders increaſe, and the payments are much more certain than heretofore.

The productions of our country increaſe in value in America daily. The laſt ſhips from Philadelphia, and other ports, brought large ſums for our merchants.

The repreſentatives of the Commons of Paris indicted, on Thurſday laſt, at the Chatlet, M. Barentin, the late Keeper of the Seals, M. Payſegur, late Secretary at War, Marſhal Broglio, and Meſſ. Autichamp and Beſenval.

Paris is ſuppoſed to be provided with corn for ſix months at leaſt.

LONDON, Dec. 6.

A letter from Madrid, of the 9th of November, ſays that the Court had actually met the preceding day in the palace of the Archbiſhop of Tolede. The Count de Campomanes, who preſided in the Aſſembly as the King's Commiſſioner, made every Member take an oath of ſecrecy relative to every thing that ſhould paſs in the Aſſembly.

Government has received an expreſs from Madrid, containing, as we underſtand, very important intelligence. We have not yet heard all the particulars, but we learn that the King, dreading the effects of the ſpirit of liberty, which all his art and power have not been able to ſtifle in the kingdom, has countermanded the proclamation for the aſſembling of the Cortez. This indication of his terror will, however, not ſtrengthen his cauſe. The people have caught the ſacred flame, and, being fairly kindled, it is not in the mercenary phalanx of an army that a King can truſt for the preſervation of authority inconſiſtent with the rights of man. We ſhall ſoon be able to give a full account of Spain. Intelligence, that can be truſted to, from that kingdom, comes, neceſſarily, by private hands, for every poſt letter is opened.

The flame of liberty is rapidly ſpreading. The troops in Savoy are ſaid to be in motion to aſſert a claim to the Pays de Vaud, as is pretended; but as is generally believed, to prevent the growth of a ſpirit among the Savoyards, which has already ſhewn itſelf in ſeveral places. Wherever men feel themſelves oppreſſed, they want only an example to aſſert their rights.

On Thurſday laſt was effected the greateſt object of internal Navigation in this kingdom. The Severn was united to the Thames by an intermediate Canal, aſcending by Stroud, through the vale of Chalford, to the height of 343 feet, by 40 locks: there entering a funnel through the hill of Saperton, for the length of two miles and three furlongs, and deſcending by 22 locks, it joined the Thames near Lechlade.

FOR THE GAZETTE OF THE UNITED STATES.

THE LOVERS RAMBLE.

AWAY! away! ye giddy throng,
Liſt not to my peaceful ſong;
Come ye loves and play around me!
Buſy care, no more confound me!
Let my thoughts be all at eaſe,
Ev'ry bub'ling paſſion ceaſe!
Love alone come ſeize my ſoul,
Fill and now poſſeſs the whole,
Whilſt I ſing how hand in hand
On the ſea-reſounding ſtrand,
I, with lov'd LOUISA ſtray'd,
Tender, beauteous, blue-ey'd maid.
" See yon ſmoothly ſhelving plain,
" Scarce deſcending to the main;
" So ſmooth ſo eaſy of deſcent,
" So full of ſeeming ſweet content,
" Spreading wide and tempting play,
" Is ruin's all-alluring way.
" So appears the ſea of vice,
" Calmy ſmiling to entice;
" Enter'd—deeper down ye go,
" No more ſhelving, ſoft and ſlow,
" Mud the bottom; chang'd from ſand;
" Vain your wiſh again for land:
" Mired in the filthy ſlime;
" Caught like birds, in pleaſure's lime;
" Soon the tide comes ruſhing on—
" Heedleſs mortals—ye are gone!"
Blythe along the bank we trip;
" See my love! Sure that's a ſhip,
" Riſing from this bed of tears,
" Sails, and laſt the hull appears;
" Some one on yon deck may ſtand,
" Sending ſighs towards the land;
" Hope and fear and joy by turns,
" Seize his heart, which chills and burns;
" Slow the rapid ſhip muſt move,
" Tow'rds the ſhores where reſts his love;
" Faithful he for five long years,
" Bath'd her image with his tears;
" Morn and night thro toil or reſt,
" Her image pendant at his breaſt."
" Oh may he find LOUISA cried,
" Equal raptures in his bride!"
Fancy made the picture real,
Down her cheek ſweet ſorrows ſteal;
Scandal had no tatler near,
I, gently kiſs'd the trickling tear.
" Would you HENRY (from me torn)
" Five long years ne'er ceaſe to mourn?
" I each morn and ev'ry eve
" Would my ſorrowing-joy receive,
" From this Toy which boſom'd near
" I would gaze at with a tear,
" Kiſs and to my heart cloſe preſſing,
" Aſk for HENRY ev'ry bleſſing;
" Would you at the riſing morn,
" Think of her that's from you torn?
" Drawing from your faithful breaſt,
" Let this to your lips be preſt;
" Thinking; at the ſelf ſame hour,
" If bounteous Heav'n grant me pow'r,
" The ſelf ſame action would be mine,
" Love's tear I'd drop at virtue's ſhrine.
" Fancy, you would to me waft,
" Sweet'ning abſence bitter draught:
" Wond'rous pow'r of Heav'n born art!
" Thus to eaſe the lover's ſmart:
" Whilſt I ſee your form pourtray'd,
" Glowing health throughout diſplay'd,
" I'm aſſur'd that ſo you look,
" Reading peace in this ſweet book."
While the much lov'd maiden ſpoke,
Sounds that all my ſoul awoke,
To gratitude and pure delight,
Other objects fled my ſight:
The ſhip forgot—no longer ſeen—
I view no more the beauteous ſcene:
But all my ſenſes fix'd on her,
I hardly breathe—I hardly ſtir—
Softly ſighing mute I ſtood,
While ſhe appear'd my ſov'reign good.

W. D.

FROM THE FREEMANS JOURNAL.

To the PRESIDENT of the UNITED STATES.

SIR,

THE ſubject, on which I have taken the liberty of addreſſing you, is ſo important in its nature, that I think any apology, for the freedom taken, is unneceſſary.

If the hearts of our benevolent citizens have been melted in ſympathy to our fellow creatures in Europe on account of their being involved in the diſtreſſing ſcenes of *famine*; what muſt be our feelings when the ſame dreadful calamity begins to threaten our own country, or at leaſt the populous maritime cities and parts adjacent?

Wheat is now 10/4 per buſhel in Philadelphia, and flour proportionably high; and it is generally believed, that, by the month of May next, wheat will not be leſs than 2 dollars a buſhel, if the exportation is not immediately ſtopped; as the demand from Europe is growing greater every day.

The moderate price of beef, mutton and other articles of proviſion has in ſome degree rendered the high price of bread leſs felt; but a dearth of theſe will ſoon follow that of bread, and indeed in our laſt markets there is an evident advance in their price; which, if it continues, will ſhortly put it out of the power of poor mechanics or manufacturers, to purchaſe with their daily earnings ſubſiſtence for themſelves and families; the conſequences whereof, will be a depopulation of our cities, with all the train of calamities incident to ſuch a misfortune.

By a timely interference of the executive of the union, the diſtreſſing ſcenes of miſery produced by famine may be prevented. It is therefore to you, Sir, that our manufacturers, mechanics, and induſtrious poor, look, to avert the impending danger, by ſtopping the exportation of *grain and flour*, by an *embargo*, for ſuch time, as to you in your wiſdom ſhall ſeem right.

HUMANITAS.

PHILADELPHIA, FEB. 16, 1790.

NEW-YORK, FEBRUARY 24.

Extract of a letter from Benjamin Weſt, *to Doctor* Franklin, *dated London, Oct.* 8, 1789.

" SIR,

" The bearer of this letter is our ingenious countryman, Mr. John Trumbull, who has reſided in London to ſtudy painting; and I have the happineſs to acquaint you, and his countrymen in general, that thro force of genius, and induſtry, he has already attained that excellence in painting, which places him in the firſt claſs of men of that profeſſion now living. He viſits his native climate to perpetuate the faces of ſome of his diſtinguiſhed countrymen, and I hope he will meet with their approbation, both as a gentleman and an artiſt, of equal worth and eſteem."

Extract of a letter from Philadelphia, Feb. 15.

" I found fault latterly with my correſpondents in New-York, for not anſwering letters by the return-poſt, and they have informed me it is in a great meaſure owing to a regulation of the poſt-maſter of that place, by which the mail is cloſed *at 9 o'clock in the evening*, although it does not leave the city until 8 o'clock *the next morning*.

This regulation deprives us in a great degree of the advantages we expected to derive from *a daily poſt*, and at the ſame time diminiſhes the revenue of the Poſt-Office; for inſtance, if the ſouthern Mail does not arrive at New-York until the evening, there is not time to anſwer letters and a poſt is loſt, and we cannot get the debates of Congreſs which are uſually in the next mornings papers, until the ſecond poſt after they are publiſhed. This is conſidered as an inconvenience and real injury both to the merchants and community at large, and obliges people to look out for private conveyances to ſend their letters. We have alſo to lament the very great irregularity in the carriage of the Mail to the ſouthward of this City.

The Philadelphia ſociety for promoting agriculture have unanimouſly adjudged their premium of a GOLD MEDAL for the greateſt quantity of cheeſe, not leſs than 500 pounds weight, made on one farm in any of theſe States—to *Joſeph Matthewſon*, Eſq. of Coventry, Kent County, Rhode Iſland—Fourteen cheeſes preſented by this gentleman, weighed 500 pounds—and on his farm is annually made from 5 to 6000 weight.

The ſociety directed one of the cheeſes to be ſent to the Preſident of the United States—as a ſpecimen of the perfection to which the manufacture of cheeſe has attained in this country.

The public prints from all quarters contain accounts of the celebration of the birth day of the PRESIDENT OF THE UNITED STATES.

The commiſſioners appointed in behalf of this ſtate, have, within this few days paſt, been in treaty with the commiſſioners appointed on the part of Vermont, in reſpect to the declaring of the independence of that part of this ſtate, but we regret that they have terminated their buſineſs without effecting the purpoſe for which they were appointed.

"Where there is charity (without which all religion is vain) the general happineſs of mankind will be a dearer object, than ſelf intereſt—therefore let men be ever ſo ſpecious in the formal profeſſions, and externals of religion, if they are guilty of ſuch things as are againſt morality, or are deſtructive of the happineſs of ſociety—If they unfeelingly violate the laws of juſtice, and benevolence—If they ſay to a fellow mortal in diſtreſs, " be ye fed and be ye cloathed, but do not the things they ſay"—We may call their profeſſions *craft* or *policy*, but can with no proprity call it religion.—Hypocriſy is the *paint* but not the *complexion* of honeſt actions."

☞ *THE 14th of April next will conclude a year ſince this paper was firſt publiſhed. The terms were, that the firſt half year ſhould be paid in three Months.—The Editor will find himſelf obliged to conſider thoſe ſubſcribers, as diſcontinuing the paper, who ſhall not have made any payment at the end of the Year.*

REPORT

of the SECRETARY of the TREASURY to the HOUSE of REPRESENTATIVES.

TREASURY DEPARTMENT, *Jan.* 9, 1790.

[CONTINUATION FROM No. 89.]

THE ſame fact affords a ſecurity to the merchant, that he is not likely to be prejudiced by conſiderable duties on ſuch articles. They will uſually command a proportional price. The chief things in this view to be attended to, are, that the terms of payment be ſo regulated, as not to require inconvenient advances, and that the mode of collection be ſecure.

To other reaſons, which plead for carrying the duties upon the articles which have been mentioned, to as great an extent as they will bear, may be added theſe; that they are of a nature, from their extenſive conſumption, to be very productive, and are amongſt the moſt difficult objects, of illicit introduction.

Invited by ſo many motives to make the beſt uſe of the reſource, which theſe articles afford, the eſſential enquiry is—in what mode can the duties upon them be moſt effectually collected?

With regard to ſuch of them, as will be brought from abroad, a duty on importation recommends itſelf by two leading conſiderations; one is, that meeting the object at its firſt entrance into the country, the collection is drawn to a point, and ſo far ſimplified; the other is, that it avoids the poſſibility of interference between the regulations of the United States, and thoſe of the particular ſtates.

But a duty, the precautions for the collection of which ſhould terminate with the landing of the goods, as is eſſentially the caſe in the exiſting ſyſtem, could not, with ſafety, be carried to the extent, which is contemplated.

In that ſyſtem, the evaſion of the duties, depends as it were, on a ſingle riſk. To land the goods in defiance of the vigilance of the officers of the cuſtoms, is almoſt, the ſole difficulty. No future purſuit, is materially, to be apprehended. And where the inducment is equivalent to the riſk, there will be found too many, who are willing to run it. Conſequently there will be extenſive frauds of the revenue, againſt which the utmoſt rigor of penal laws, has proved, as often as it has been tried, an ineffectual guard.

The only expedient which has been diſcovered, for conciliating high duties with a ſafe collection, is, the eſtabliſhment of a *ſecond* or interior ſcrutiny.

By purſuing the article, from its importation, into the hands of the dealers in it, the riſk of detection is ſo greatly inhanced, that few, in compariſon, will venture to incur it. Indeed every dealer, who is not himſelf the fraudulent importer, then becomes, in ſome ſort, a centinel upon him.

The introduction of a ſyſtem, founded on this principle, in ſome ſhape or other, is, in the opinion of the Secretary, eſſential to the efficacy of every attempt, to render the revenues of the United States equal to their exigencies, their ſafety, their proſperity, their honor.

Nor is it leſs eſſential to the intereſt of the honeſt and fair trader. It might even be added, that every individual citizen, beſides his ſhare in the general weal, has a particular intereſt in it. The practice of ſmuggling never fails to have one or two effects, and ſometimes unites them both. Either the ſmuggler underſells the fair trader, as, by ſaving the *duty*, he can afford to do, and makes *it* a charge upon him; or he ſells at the increaſed price occaſioned by the duty, and defrauds every man, who buys of him, of what the public ought to receive. For it is evident, that the loſs falls ultimately upon the citizens, who muſt be charged with other taxes to make good the deficiency, and ſupply the wants of the ſtate.

The Secretary will not preſume, that the plan, which he ſhall ſubmit to the conſideration of the Houſe, is the beſt that could be deviſed. But it is the one, which has appeared to him freeſt from objections of any, that has occurred of equal efficacy. He acknowledges too, that it is ſuſceptible of improvement, by other precautions in favor of the revenue, which he did not think it expedient to add. The chief outlines of the plan are not original, but it is no ill recommendation of it, that it has been tried with ſucceſs.

The Secretary accordingly propoſes,

That the duties heretofore laid upon wines, diſtilled ſpirits, teas and coffee, ſhould, after the laſt day of May next, ceaſe, and that inſtead of them, the following duties be laid.—

Upon every gallon of Madeira Wine, of the quality of London particular, thirty-five cents.

Upon every gallon of other Madeira Wine, thirty cents.

Upon every gallon of Sherry, twenty-five cents.

Upon every gallon of other Wine, twenty cents.

Upon every gallon of diſtilled Spirits, more than ten per cent. below proof, according to Dicas's hydrometer, twenty cents.

Upon every gallon of thoſe Spirits under five, and not more than ten per cent. below proof, according to the ſame hydrometer, twenty-one cents.

Upon every gallon of thoſe Spitis of proof, and not more than five per cent. below proof, according to the ſame hydrometer, twenty-two cents.

Upon every gallon of thoſe Spirits above proof, but not exceeding twenty per cent. according to the ſame hydrometer, twenty-five cents.

Upon every gallon of thoſe Spirits more than twenty, and not more than forty per cent. above proof, according to the ſame hydrometer, thirty cents.

Upon every gallon of thoſe Spirits more than forty per cent. above proof, according to the ſame hydrometer, forty cents.

Upon every pound of Hyſon Tea, forty cents.

Upon every pound of other Green Tea, twenty-four cents.

Upon every pound of Souchong and other black Teas, except Bohea, twenty cents.

Upon every pound of Bohea Tea, twelve cents.

Upon every pound of Coffee, five cents.

That upon Spirits diſtilled within the United States, from Molaſſes, Sugar, or other foreign materials, there be paid---

Upon every gallon of thoſe Spirits, more than ten per cent. below proof, according to Dicas's hydrometer, eleven cents.

Upon every gallon of thoſe Spirits under five, and not more than ten per cent. below proof, according to the ſame hydrometer, twelve cents.

Upon every gallon of thoſe Spirits of proof, and not more than five per cent. below proof, according to the ſame hydrometer, thirteen cents.

Upon every gallon of thoſe ſpirits, above proof, but not exceeding twenty per cent. according to the ſame hydrometer, fifteen cents.

Upon every gallon of thoſe Spirits, more than twenty, and not more than forty per cent. above proof, according to the ſame hydrometer, twenty cents.

Upon every gallon of thoſe Spirits more than forty per cent. above proof, according to the ſame hydrometer, thirty cents.

That upon Spirits diſtilled within the United States, in any city, town or village, from materials of the growth or production of the United States, there be paid---

Upon every gallon of thoſe ſpirits more than ten per cent. below proof, according to Dicas's hydrometer, nine cents.

Upon every gallon of thoſe ſpirits under five, and not more than ten per cent. below proof, according to the ſame hydrometer, ten cents.

Upon every gallon of thoſe Spirits of proof, and not more than five per cent. below proof, according to the ſame hydrometer, eleven cents.

Upon every gallon of thoſe Spirits above proof, but not exceeding twenty per cent. according to the ſame hydrometer, thirteen cents.

Upon every gallon of thoſe Spirits more than twenty, and not more than forty per cent. above proof, according to the ſame hydrometer, ſeventeen cents.

Upon every gallon of thoſe Spirits, more than forty per cent. above proof, according to the ſame hydrometer, twenty-five cents.

That upon all Stills employed in diſtilling Spirits from materials of the growth or production of the United States, in any other place, than a city, town or village, there be paid the yearly ſum of ſixty cents, for every gallon, Engliſh wine meaſure, of the capacity of each Still, including its head.

The Secretary does not diſtribute the duties on Teas into different claſſes, as has been done in the impoſt act of the laſt ſeſſion; becauſe this diſtribution depends on conſiderations of commercial policy, not of revenue. It is ſufficient, therefore, for him to remark, that the rates, above ſpecified, are propoſed with reference to the loweſt claſs.

LETTER.——No. II.

MR. FENNO,

IN my firſt I believe I have ſhown, that the beings of animated nature have poſitive characters, marked out by ſtrong colours, tints, and ſhadows, plain to the obſerving eye, and, that the eſtabliſhed order, is incontrovertible. Conſcious as I am, that theſe features are founded on truth—in nature, I could here reſt the ſubject of philoſophical enquiry. I muſt however not leave untouched an argument, which in the new, as well as in the old world, has gained powerful advocates: it is in ſubſtance, that inſtruction is able to correct the character of nations, and will make them all alike.

Strong as this appears to be, it is but applicable, to ſingle examples of individuals; theſe are of the inferior ſpecies of mankind, the diminutive Newtons, Franklins, and Rittenhouſes; a more particular review of nations, will ſhow, that it cannot be admitted as a concluſive, and general argument.

When Europe was in the ſtate of barbarity—when even the names of the tribes therein living were unknown, then China was eminent in ſciences and arts. China has had but few civil wars, and it was but once conquered—by the Manchoe Tartarians; except the cutting of the hair, to which the Chineſe were compelled; the conquerors adopted all other laws, morals and the language of the conquered. In that empire, peace has almoſt conſtantly foſtered the ſciences, but notwithſtanding this, and that the Chineſe, were introduced ſeveral thouſand years ſince into the temple of Apollo, they have made no progreſs, they ſtand nearly on the ſame ground, where Foha and Confoeſoe, their Solon, and Triptolemus left them—whilſt in a few centuries, the Europeans have ſet their oriental models far behind them.

The origin of the never conquered Arabians, is wrapped in dark antiquity; in the remoteſt ages we find them acquainted with ſciences, and Europe has been enlightened partly by them: but although their mind was ſtrengthened by learning, the ordinary conſequence of it, civilization, could never introduce itſelf among the Arabians; war is their element, and liberty their boaſt.

Our ſavage indigenous Americans, have lived, ſome among us, ſome live ſtill next to our frontiers, treaties and trade keep the connection alive; our civilization, cultivation, and the benefits ariſing from it are before their eyes, yet this makes little impreſſion upon them; the American ſavage is, and will remain, the devouring wolf of the woods.

The African wool hairy prince, makes war for to ſell his ſpecie, and when priſoners are wanting, will ſell his ſubjects; the man his wife and children, the mother her offſpring, chiefly for ſpirits; want of energy, drunkenneſs and lazineſs, are the leading features in that ſpecie of men.

Imperfect as this ſketch is, I believe however that it confirms my general theory. Among us a Julius Cæſar, a Waſhington, a Locke, a Frederic the IIId. of Pruſſia, &c. &c. ſhow—that even in the ſpecie avowedly the ſame, the differences of powers and genius are ſtriking. In the national character of the Chineſe, the Arabian, the ſavage American, the wool hairy negro, is exemplified, that nature has ſet diverſe limits to the powers of mind in the different ſpecies of men; and the whole refutes the argument, that inſtruction is able to ſet the character of nations on an equal ſcale.

By drawing a picture of other nations, it would appear in a ſtill ſtronger light, that the wool hairy African negro ſtands in the eſtabliſhed order of nature, in the loweſt claſs of mankind; but then in lieu of fugitive letters, I ſhould write treatiſes; thus, except certain ſtriking concluſions which I reſerve for my next, we will therein inveſtigate the ſubject of the wool hairy negro on political grounds.

RUSTICUS.

THE REPUBLICAN.

No.—III.

IN a former number it was incidentally remarked that government is an art rather than a ſcience. This remark is ſo obvious, that it needs neither explanation nor argument to ſupport it. Government is well known to be in its nature more practical then ſpeculative; and even its improvement and perfection depends not ſo much on theory as experiment. The ſame is true of almoſt all the ſeveral branches of knowledge. In the common affairs of life experience is acknowledged to be the ſureſt guide. He who relies upon the abſtract ſpeculations of the cloſet, to govern his conduct, makes frequent miſtakes, and meets with a thouſand mortifying diſappointments, which are avoided by another, who has no better natural talents, but has been educated in the ſchool of experience. Thoſe writers too, who have been real ſpeculators or actors in the ſcenes, which they deſcribe, eaſily command our attention and belief. Who does not give more credit to Cheſterfield's obſervations on men and manners, altho he is juſtly condemned for the licenciouſneſs of his principles, than to the dry precepts contained in the writings of metaphyſicians and moraliſts, or the fanciful inventions, that are to be found in romances and novels? Why are Cicero's writings on oratory read with ſo much eagerneſs; unleſs it is, becauſe they are believed to be the reſult of his own experience? We feel a peculiar ſatisfaction in attending to Mr. Locke's directions concerning the right conduct of the underſtanding, not only for their ſolidity and good ſenſe, but alſo, becauſe they are recommended by the experience of a man, who conducted his own underſtanding ſo judiciouſly, and ſo greatly enlarged the circumference of knowledge by his reſearches into the powers of the human mind. For a ſimilar reaſon, we derive a double pleaſure from Sir Iſaac Newton's rules of philoſophiſing, from Sully's memoirs of the art of negociation, or Necker's maxims and calculations of finance. A reſpectful attention is no more than is due to experience. For its dictates are infallible. They ſtand the teſt of examination, and never vaniſh before the light of new diſcoveries. But the ſyſtems of mere theoriſts are in general little better than ingenious caſtles in the air. A hiſtorical review of the celebrated theories of philoſophy and government, which have ſucceſſively had their day of admiration and been exploded one after another, would afford matter of amuſement, and would not be entirely barren of inſtruction. Plato could diſcourſe like an angel on truth, virtue, ſentimental love and other moral ſubjects; but he ſeems to have been crazy, or certainly in a dream, when he projected his ideal republic. So wild is the moſt enlightened genius, when it is not guided by experience! The Utopia of Sir Thomas More, who was a man of letters and virtue too, is nevertheleſs ſo romantic that it has long been proverbial for its impracticablily. The learned Vice-Preſident of the United States has by hiſtorical deductions fully demonſtrated the abſurdity of ſeveral other more modern ſyſtems formed without any practical acquaintance with the ſubject. But perhaps there never was a more egregious example of the impotence of ſpeculation unaſſiſted by practice, than the juſtly celebrated Mr. Locke. That great and good man, who was confeſſedly the ſubtleſt logician of his age, and the ableſt champion of civil liberty, having boldly fought and fairly ſlain the giant of divine hereditary right; afterwards, at the requeſt of the proprietors, undertook to conſtruct a Conſtitution for Carolina. For this purpoſe he retired to his ſtudy, and following the ignis fatuus of abſtract ſpeculation, inſtead of conſulting the oracles of hiſtory, and human nature, produced from his own brain a chimerical ſcheme, which in its operation tended to the oppoſite points of tyranny and anarchy. The Carolinians ſtruggled with its imperfections, until their patience was ſpent; and at length were impelled by the neceſſity of their ſituation to reſiſt. A revolution enſued: and a royal government, with all its train of oppreſſions, was prefered to their fine-ſpun proprietory form. A plain American Farmer, of common education and abilities, who has read the numerous publications contained in news-papers and pamphlets for ten years paſt in this country, and has attended and aſſiſted in legiſlative aſſemblies and conventions for forming or adopting conſtitutions, might be more ſafely entruſted with the important buſineſs of framing a government, than the illuſtrious Locke, with all his logic and learning, but void of experience.

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JAMAICA Spirits,	5/6.	Do. 22 inch do.	1l. 6/.
Antigua Rum,	4/9. *a* 5/.	Do. 18. inch do.	18/
St. Croix, do.	4/8.	Butt white oak ſtaves,	35/.
Country, do.	3/.	Pipe do. do.	9l.
Molaſſes,	2/2.	Hogſhead do. do.	6l. 10/.
Brandy,	6/6. *a* 6/3.	Do. do. heading,	8l.
Geneva,	5/.	Iriſh barrel do. ſtaves,	3l. 5/.
Do. in caſes,	28/. *a* 29/.	Hogſhead red oak do.	5l. 6/.
Muſcovado Sugar,	80/. *a* 72/.	Do. French do.	5l.
Loaf, do.	1/3.	Hogſhead hoops,	4l.
Lump, do.	1/1½.	Whiteoak ſquare timber per ſquare foot,	1*cd.*
Pepper,	3/.3	Red wood, per ton,	28l.
Pimento,	1/. *a* 1/4.	Fuſtick,	10l.
Coffee,	1/7. *a* 1/8.	Beaver, per lb.	12/. *a* 16/.
Indigo, (Carolina)	3/. *a* 6/.	Otter per ſkin,	9/. 32/.
Do. French,	18/.	Grey fox,	4/7.
Rice,	21/.	Martin,	4/10.
Superfine Flour,	64/.	Racoon,	3/6 *a* 7/6.
Common do.	56/.	Muſkrat,	10*d. a* 14*d.*
Rye do.	26/. *a* 28/.	Beaver hats,	64/.
Indian Meal,	18/. 20/.	Caſtor do.	48/.
Rye,	4/9. *pr. buſh.*	Chocolate,	14*d.*
Wheat,	10/6.	Cocoa,	70/. *a* 80/.
Corn, (Southern)	4/.	Cotton,	1/9.
Do. (Northern,)	4/3. *a* 4/6.	Tar, pr. bar.	11/. *a* 12/.
Beef, firſt quality,	45/. *a* 48/.	Pitch,	16/.
Pork, firſt quality,	70/. *a* 75/.	Turpentine,	18/. *a* 20/.
Oats,	1/7.	Tobacco, James River,	4*d. a* 3½*d.*
Flax-ſeed,	5/9 *a* 6/.	Do. York,	4*d. a* 3½*d.*
Ship bread per cwt.	21/.	Do. Rappahanock,	2*d a* 3½*d.*
Country refined bar-iron,	28l. *a* 30l.	Do. Maryland, coloured,	5½*d.*
Do. bloomery,	25l. *a* 26l.	Do. Weſtern-ſhore,	2*d a* 3½*d.*
Swedes do.	45l.	Lead in pigs, pr cwt.	60/.
Ruſſia do.	30l.	Do. bars,	68/.
Pig-iron,	8l 10/. *a* 9l.	Do. Sead,	68/.
German ſteel, per lb.	9*d.*	Red l. do.	68/.
Nails American, by caſk. per. lb. 4d.	14*d.*	White do. dry,	95/.
Do. do. do. 6d.	12*d.*	White do. in oil,	5l. 12/.
Do. do. do. 8d.	9½*d.*	Salt-petre hams,	7½*d.*
Do. do. do. 10d.	7½*d a* 8½*d.*	Spermaceti candles,	3/.
Do. do. do. 12d.		Mould do.	11*d. a* 1/.
Do. do. do. 20d.		Tallow dipt,	9½*d.*
Do. do. do. 24d.		Soap,	5*d. a* 8*d.*
Pot aſh, per ton,	39l. *a* 40l.	Caſtile ſoap,	9*d. a* 10*d.*
Pearl aſh,	48l *a* 50l.	Engliſh cheeſe, pr. lb.	15*d.*
Bees-wax per lb.	2/.	Country do.	5*d.*
Mackarel per barr.	26/. *a* 30/.	Butter,	1/.
Herrings,	18/.	Hyſon tea,	9/6. *a* 10/.
Mahogany, Jamaica, per foot,	10*d.*	Sequin do.	6/6.
Dominico, do.	9*d.*	Bohea do.	2/8. *a* 2/.9
Honduras, do.	7*d.*	Ginſeng,	2/. *a* 2/6.
Logwood unchipped,	pr.ton. 8l.	Starch Poland,	7*d.*
Do. chipped.	14l.	Snuff,	2/3.
2 inch white oak plank, per m.	10l. 10/.	Allum ſalt, water meaſure, pr. buſh.	3/6.
1 inch do.	5l.	Liverpool do.	2/.
2 inch white pine plank,	8l.	Madeira wine, pr. pipe,	60*l. a* 90*l.*
1½ inch do.	6l. 10/.	Port,	46*l.*
1 inch do.	3l. 10/.	Liſbon, pr. gal.	5/.
2 inch pitch pine do.	10l.	Teneriff,	4/.
1½ inch do.	6l. 10/.	Fyall,	3/3.
1 inch do.	4l.	Dutch gun-powder, pr. cwt.	8l.
Pitch pine ſcantling,	3l. 8/.	Nail rods, pr. ton,	34*l.* 36*l.*
Cyprus 2 feet ſhingles,	1l. 10/.	Lintſeed oil, pr. gal.	4/.
Do. 22 inch do.	1l. 8/.	Whale do. pr. barrel,	50/. *a* 56/.
Cedar 2 inch do.	1l. 10/	Spermaceti do,	6*l.*
		Shake-down hhds.	3/6

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And poſſeſſion given the 1ſt of April, for one or more years, (two miles and half from this city, on the Greenwich road,)

THAT New TWO STORY HOUSE—four Rooms on a floor; with ſix fire places; a new Barn, and Well of excellent Water; a young Orchard of Fruit Trees, with 7½ acres of Land, the moſt part Meadow. For particulars enquire at No. 7, Maiden-Lane. *New-York, February* 20.

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Let all foreign climes alone,

Till you underſtand your own.